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D E M O C R A T I C C O M M U N I Q U É

## Critical Commentary

# Sport Sex Scandals: A Comparison Between Penn State and USA Gymnastics

Linda Fuller

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*Beginning with a broad perspective on sport sex scandals, this critical commentary compares two of the worst: the 2012 Penn State child sex abuse scandal by a football coach and the 2019 revelations about sexual assault on more than 368 female gymnasts by their national team doctor and how, in both cases, cover-ups and failure to take action were prevalent.*

**Keywords:** Penn State football scandal, USA Gymnastics scandal, #MeToo, sport rhetoric

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For a long time, my interest has been drawn to journalistic reporting of when the sports pages are on the front pages — rephrased, when sports stories predominate the digital mediascape. Most sports scandals deal with doping (think bikers Floyd Landis 2006 or Lance Armstrong from 1999-2005, Barry Bonds and BALCO); gambling (i.e., the 1919 Black Sox scandal); price-fixing, such as during the 2002 Salt Lake Olympics; match fixing (many boxing cases, or cricketer Hansie Cronje in 2000); quarterback Michael Vick's 2007 dog fighting operation; New England Patriots' Aaron Hernandez's murder conviction and suicide, and many more that you might want to share with this author.

Sex scandals have also appeared in sports news, such as basketball star Kobe Bryant's sexual assault case in 2003, golfer Tiger Woods' 2010 sex addiction pronouncement, and Wiki has a long listing of "professional sportspeople convicted of crimes." In my opinion, the worst case was assistant coach Jerry Sandusky (of Penn State)'s 2011 conviction on 52 counts of child molestation for the culture of lying and sexual abuse he had established under the shadow of iconic college football coach Joe Paterno (Fuller, 2012). That is, until recent revelations about the horrendous USA Gymnastics scandal, taking the #MeToo movement to a whole new level (Fuller, 2019).

### **Penn State and USA Gymnastics**

There are an unfortunate number of parallels between these two sport sex scandals. First is location, as both occurred in top public American universities but soon news about them spread around the world—one in what was known as Happy Valley, PA, the other in Lansing, MI. Both involved individual traumas along with institutional cover-ups, and each story is best understood from a feminist lens.

My developing theory of Gendered Critical Discourse Analysis (GCDA), which draws on tenets of social power, dominance, and inequality and recognized rhetorical, economic, and socio-political power plays between the sexes, is especially applicable to the field of sport (Fuller, 2006: 6-9). So, whereas the language of (American) football, a combat sport, tends to be inherently militaristic and sexist (Fuller, 2009), the jargon of gymnastics might involve "*hip abduction* (pushing knees outward) or *hip adduction* (bringing knees together), with flips, grips, and rips as part of their routines. There is talk about Center of Gravity (COG), compulsory routines, heel drives and hurdles, pronation and punches, spotting and supination, turnovers and twists" (Fuller, 2018: 125).

Both exposes owe their thanks to women: In the case of Penn State, the mother of a boy identified only as "Victim 1" gave the first reportage such that his coach eventually was found guilty of child molestation and given a life sentence. A female Attorney General (Linda Kelly) made the indictments so that three officials at The Pennsylvania State University—the president, VP, and athletic directors—were charged with "perjury, obstruction of justice, failure to report suspected child abuse, and related charges." Its story was originally broken by a 24-year-old female reporter for the local newspaper (Sara Ganim of the Harrisburg, PA's *Patriot-News*)—despite being initially met with denial. The National Collegiate Athletic Association (NCAA) imposed sanctions of "a \$60 million fine, four-year postseason ban, scholarship reductions, and a vacation of all victories from 1998 to 2011." Throughout, both coaches' wives (known, in media reports as Mrs. Sandusky and Mrs. Paterno) were steadfast in their loyalty, married to their fictive allegiances.

Although Michigan State is where most media attention was drawn, in fact it has been disclosed that young female gymnasts had issued complaints of sex abuse as early as 1990. Yet, it was not until former gymnast Rachael Denhollander came forward with an accusation in 2016 against Larry Nassar, the national team sports-medicine doctor that the story really took hold. Reporting that, when she had sought treatment for lower back pain, Nassar, without gloves, digitally penetrated her vagina and anus, and unhooked her bra and massaged her bare breasts while having a “visible erection,” it was an accusation that went viral. Fiercely castigating him, she repeatedly asked the court, “How much is a little girl worth?” (cited in Apstein, 2018). USA Gymnastics, which serves more than 150,000 athletes in 3,000 clubs around the country, reportedly tried to silence some other athletes (Connor et al., 2018), but soon, the floodgates were open such that 265 women came forward. USA Gymnastics hired a female federal prosecutor (Deborah Daniels) to conduct an independent review that called for a “complete cultural change” and, these steps were taken when the FBI was called in:

- The USAF president (Steve Penny) was forced to resign;
- Major corporate sponsors pulled out;
- Ties were cut with the national training center (the Karolyi Ranch)
- The entire board of USA Gymnastics agreed to resign (Armour and Axon, 2018)
- Michigan State’s president (Lou Anna Simon) stepped down, announcing that the university would pay out \$500 million to more than 300 victims (including Aly Raisman, Gabby Douglas, Simone Biles, Jordyn Wieber, and McKayla Maroney) — even if, at the same time, the University (apparently unsuccessfully) tried using Facebook to salvage its image and reputation (Frederick et al., 2019);
- The US Olympic Committee moved to decertify USA Gymnastics as a national governing body;
- Nassar was given 175 in prison. Consider: He did plead guilty to 10 counts of criminal sexual assault, and was found to be in possession of 37,000 images of child pornography.

But this time, instead of wives it was mothers who remained steadfast in their loyalties — many mothers who had been in the same room with their daughters when they were being molested but who did not realized what was going on. Also, girls and women around the world rallied to give their support.

### **#MeToo**

It might be helpful to review the #MeToo movement here. Laurie Collier Hillstrom (2019) considers these landmark events in its progression:

- 1964: Title VII of the Civil Rights Act prohibits sex discrimination
- 1975: Sexual Harassment enters the lexicon
- 1980: The Equal Employment Opportunity Commission (EEOC) issues guidelines on sexual harassment
- 1986: U.S. Supreme Court recognizes sexual harassment
- The Clarence Thomas-Anita Hill hearings
- 1991: The Tailhook Convention scandal
- 1998: Employers gain the *Faragher-Ellerth* defense
- 2013: *Vance v. Ball State* narrows employer liability

- 2016: The presidential campaign and election of Donald Trump
- 2017: The Women's March on Washington

Although it is known that the civil rights activist Tarana Burke used the phrase *Me Too* “to raise awareness of the pervasiveness of sexual abuse and assault in society,” the movement is most associated with film producer Harvey Weinstein, who was dismissed from his company and expelled from the Academy of Motion Picture Arts and Sciences following more than 80 allegations of sexual abuse against him. Popularized in a 2017 Tweet by actress Alyssa Milano stating that, “If all the women who have been sexually harassed or assaulted wrote ‘Me too’ as a status, we might give people a sense of the magnitude of the problem,” the notion went worldwide. *The Guardian* (Khomani, 2017) reported:

Within days, millions of women —and some men — used Twitter, Facebook and Instagram to disclose the harassment and abuse they have faced in their own lives. They included celebrities and public figures such as Bjork and Olympic gymnast McKayla Maroney, as well as ordinary people who felt empowered to finally speak out. The story moved beyond any one man; it became a conversation about men's behaviour towards women and the imbalance of power at the top.

*Time* magazine recognized what it called the ‘Silence Breakers,’ and disclosures around the world led to repercussions in churches, the fashion industries, education, finance, medicine, the military, sports, and of course the entertainment industries. Imagine: two words launched an international social change movement. For those of us involved in the sociology of sport, a new form of team identification and support is evolving.

### **GCDA and the USA Gymnastics Scandal**

Although these are parallel stories about men behaving badly, it is helpful to underscore that women's roles were pivotal in both cases. Its analysis includes discussion about the language used in reportage about the sports #MeToo scandal, the words chosen by female gymnasts, and overall ethical implications.

#### *The Language of Reportage*

While it would be most helpful to have transcripts of the Grand Jury investigation, my analysis is limited to media: newspapers, magazines, radio, television, and online resources. As it turns out, the USA Gymnastics scandal for some reason has not resonated as much as the Penn State one did. That just does not make sense, especially when so many celebrity athletes have been involved, never mind institutions such as Michigan State and the USOC. “This is one of the largest and most prestigious public universities in the country,” declared the female gymnasts’ attorney, “and they’ve engaged in the systematic protection of a child molester. Clearly Michigan State has a culture of secrecy” (cited in Parke, 2017). Bryan Graham (2017) posits the following:

Perhaps it is because the story centers on a sport in which people do not pay attention during non-Olympic years. Or perhaps, unlike more common cases of sex abuse involving teachers or coaches, it is because the Nassar case involves the less familiar terrain of abuse by a doctor. Or perhaps it is simply a more complicated story than what

happened at Penn State or Baylor, harder to parse or boil down to a digestible tagline. But the most distressing reason of all is that the abuse of women is normalized in our society. The Nassar scandal fits into our framework of how we understand a sport like women's gymnastics. On some level we expect women to be victimized, so it's not surprising when they are. That's a problem.

In response, Nassar issued a brief statement: "For all those involved, I'm so horribly sorry that this was like a match that turned into a forest fire out of control. I have no animosity toward anyone. I just want healing..." *The New York Times* (Macur, 2018c) has noted that "America's best gymnasts have shaken their heads for years at the failure of that national federation to understand the blighted culture of their sport," and at least that media resource has covered the topic in-depth from the start. It has been my key resource here.

HBO recently ran an important documentary, *At the Heart of Gold: Inside the USA Gymnastics Scandal* (2019) by Erin Lee Carr that examined "how the competitive nature of the sport helped contribute to a culture of silence and allowed Nassar to groom his victims and the adults around them." Exposing the many physical and mental abuses that have left lasting emotional scars, real testimonies by real people help understand how Nassar garnered trust by being so involved in their lives and then, as a master manipulator, took advantage of the young athletes-in-the-making.

### *The Language of Female Gymnasts*

Once accusations began, they grew exponentially as support flowed in from fellow gymnasts. Here are some of those comments:

- "I was not protected," Joydan Wieber declared in her testimony. "My teammates were not protected. My parents trusted USA Gymnastics and Larry Nassar to take care of me, and we were betrayed by both" (cited in Macur, 2018a). Tearfully, she sketched out how Dr. Nassar had groomed her with gifts starting at age eight, molesting her by age 14.
- "If they really cared, then there would be a lot of change," Aly Raisman told ESPN. In court, she posited, "Imagine feeling like you have no power and no voice. Well, you know what, Larry? I have both power and voice, and I am only beginning to just use them. All these brave women have power, and we will use our voices to make sure you get what you deserve: a life of suffering spent replaying the words delivered by this powerful army of survivors."
- Larissa Boyce, a former MSU gymnast, who was one of Nassar's earliest known victims, in 1997, called his sentencing a Pyrrhic victory, as she and other survivors still see the responsible institutions still not held fully accountable: "I feel only part of the justice has been served," she has said. "Hundreds of girls who were abused—some weren't even born yet when I reported."
- Rachel Denhollander, who you may recall as the first victim to speak publicly but who was one of the last to join a class action lawsuit, shared: "We were silenced. We were mocked. And our abuser was told time and time again, 'I'm on your side.' That gives me all I need to see how Nassar preyed on women and little girls for so many years" (cited in Parke, 2017).

### *Ethical Implications*

USA Gymnastics was a classic case of top-down control, board members extending far beyond their bylaw of serving only two four-year terms, the USOC giving a blind eye to negative public relations issues, some women being issued nondisclosure agreements, and, according to national rhythmic gymnast champion Jessica Howard, “When a sexual-abuse case came up...concern was about the reputation of the coach—not the accusation of the athlete.” What might happen to these dedicated athletes if the gymnastics federation loses its recognition, and/or its funding?

Might it help to know that a bipartisan bill, *The Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017*, sponsored by Senators Dianne Feinstein (D-CA) and John Thune (R-SD) became law on February 14, 2018. “Seeking to revoke recognition is not a decision that we have come to easily, but I believe it is the right action,” Sarah Hirshland, the USOC CEO has said. “In the short-term, we will work to ensure that America's gymnasts have the support necessary to excel on and off the field of play. We are building plans to do just that no matter the outcome of the revocation process” (cited in Macur, 2018b). In a 2019 Q&A with *The New Times*, she outlined what she sees as the key issues:

The first is, maintaining clear focus on the mission to empower athletes to succeed on the highest level, on the grandest stages, and doing so in an environment that provides them the safety, the resources and the tools they need to be successful in that adventure. The second is ensuring that athletes have a voice and a seat at the table as the organization is making decisions. They have to play a critical part not only on the field of play but off the field of play. The third is striving for an environment in the Olympic movement that’s free of abuse. There’s some work that’s been done, work that’s being done and work that we need to do. The fourth is focusing on stewarding the Olympic and Paralympic movement in this country as we think about our role on the global stage.

Judge Rosemarie Aquilina complimented Rachael Denhollander for her bravery in bringing the case forward: “You made this happen,” she declared. “You are the bravest person I’ve ever had in my courtroom” (cited in Macur, 2018d). As of February, 2019, USA has a new president and CEO: Li Li Leung, who had been VP of the NBA for global partnerships; a former gymnast herself, she received early backlash for a statement that she, too, had been examined by Larry Nassar but wasn’t abused by him because her coach had been there too. “It breaks my heart to see the state that the sport is in today, and that is why I stepped forward,” she reported, adding she that believed she could create positive change “and give gymnasts what they do actually deserve” (cited in Mather and Longman, 2019).

While this account is concerned with socio-psychological factors such as paternalism, white privilege, denial, disrespect, and individual trauma(s) for mostly minors, what really is critical is that USA Gymnastics bear contrition in the whole story and that the practice of shifting predators from one place to another ends. Admittedly, I share some of that guilt because, in all my reportage on female Olympians (Fuller, 2016, 2018), the gymnastics scandal never had been covered. Luckily, though, there is one good outcome from it all: Because of the Nassar case, reportage of sexual assault in Olympic sports has been elevated to being considered a federal crime. But best of all are repercussions throughout women’s sport such that recently the president of the Afghanistan Football Federation was barred from sport for life after reports that

he had sexually assaulted players and then had threatened them for going public with their accusations and that, wider, the #MeToo movement has come to global soccer (Panja, 2019) with harassment allegations against several influential men.

Still, hold the optimism, as it was recently announced that Scott Blackmun, the former chief executive of the USOC—he who resigned under heavy pressure “and was heavily criticized for failing to protect gymnasts from being sexually abused by their national team doctor,” was awarded a severance pay of \$2.4 million. When will we learn?

Hopefully a comparison of these two sport sex scandals offers a case study for critical thinking, and more in-depth political-economic analyses show how dominant the field of sport is in terms of media concern and control. All too often, life is much more than “just a game.”

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